

## CUBA INDEPENDENT SCHOOL DISTRICT

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Ramona Lyon, /Fed. Programs Director  
RHIANNON CHAVEZ, Finance Director  
Vacant, High School Principal  
ED PAINTER, Mid School Principal  
PADDY DOMIER Ph.D., Elementary Principal

### Letter of Appeal - Request for Review CC Docket No. 02-6

Attn: Marlene H. Dorch, Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Dr  
Capitol Heights, MD 20743

Decision Document: Funding Commitment Decision Letter 5/23/2013  
Funding Year: 15 (2012-2013)  
BEN: 143235  
471 #: 859494 / 836166  
FRN: 2340626, 2340661, 2340468 / 2269790, 2269779  
SPIN: CamNet, Inc. 143017447

Entity Information:  
Cuba School District  
50 County Road 13  
Cuba, NM 87013  
Contact: Tim Chavez  
Email: [timc@cuba.k12.nm.us](mailto:timc@cuba.k12.nm.us)  
Telephone: (505) 362-2873

**SLD Explanation:** MR1: After review of your letter of appeal and all pertinent documentation, it has been determined that the Cuba Independent School District has been approved to operate under Provision 2 guidance for calculating eligibility for free and reduced price school meals. Under Provision 2, all students are served meals free of charge, but during the first year, the school determines who is eligible for free or reduced lunch. This eligibility does not change for a period of four years.

Nowhere is it stated that schools using the Provision 2 methodology are guaranteed a 90% discount by USAC. One of the documents needed in order to verify a discount percentage calculated under Provision 2 is a letter from the state indicating the NSLP eligibility the school is to receive. In your letter of appeal dated May 13, 2013, you provided enrollment and free and reduced data sent to the state for October, 2010. That data supported an 80% discount for each of the three schools in the district. Enrollment data provided by the State of New Mexico to USAC for FY2011 also supported an 80% discount for each school in the district. The data you provided USAC on February 8, 2013 was more recent and certified the enrollment and free/reduced eligibility as of February 8, 2013.

Those numbers resulted in a discount calculation of 90% for the Elementary and Middle Schools, and an 80% discount for the High School. The weighted average or shared discount of the three schools was 86%. These were the numbers used in approving FCC Form 471 #859494 and resulted in the P2 FRNs cited above being denied as 86% was below the funding cap for FY2012. Your appeal is denied.

This is a letter to request an appeal of the funding commitment for Priority II FRN's for our school for Basic Maintenance of Internal Connections and Internal Connections. Our school is an approved Provision 2 school which automatically qualifies us for E-rate funding at the 90% level. We ask that you overturn the decision based on our timely submission which was included our documentation to the reviewer. These items never should have been denied in the first place.

**PO Box 70, #50 County Rd 13, Cuba, NM 87013, Phone: 575-289-3211, Fax: 575 289-3314**

*Cuba Independent School District does not discriminate on the basis of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital or veteran status or disability in any educational programs, activities or employment. Cuba Independent School District also prohibits the use of racial, ethnic, and/or sexual slurs, including sexual harassment. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in a school meeting or hearing, or if you wish to receive assistance or information regarding student grievances, language translations of District policy, Section 504 or Title IX, please contact the Superintendent's Office at least one week prior to the meeting or as soon as possible. The district Title IX Officer, Rhiannon Chavez may be contacted at the address or phone number listed above or at [rchavez@cuba.k12.nm.us](mailto:rchavez@cuba.k12.nm.us). For concerns at the school level, contact Dr. Paddy Domier, Elementary – Ext. 403 or [pdomier@cuba.k12.nm.us](mailto:pdomier@cuba.k12.nm.us), Ed Painter, Middle School – Ext. 302 or [epainter@cuba.k12.nm.us](mailto:epainter@cuba.k12.nm.us), or Randy Houk, High School – Ext. 202 or [rhok@cuba.k12.nm.us](mailto:rhok@cuba.k12.nm.us).*

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Please see the attachment "Provision2status0001" submitted to the reviewer on 2/5/2013 as documentation that our school is qualified for Provision II and therefore E-rate Funding at the 90% level.

Cuba School District is a rural school servicing many children that would benefit greatly from the technology care and assistance we would be able to receive from CamNet Inc. E-rate funding would also allow us to do so much more for our students' education and quality of life at our school.

Sincerely,



Tim Chavez  
Technology Coordinator  
Cuba School District

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